

**QUESTIONNAIRE to be used for biennial reporting  
on the application of the IUU Regulation**

**Reporting period 2016-2017 (deadline for submission 30 April 2018)**

<b>Member State:</b>	Deutschland
<b>Organisation:</b>	Bundesanstalt für Landwirtschaft und Ernährung
<b>Date:</b>	
<b>Name, position and contact details of responsible official:</b>	Dr. Dittmer (Abteilungsleiter)

<b>May the Commission provide a copy of this questionnaire to other Member States?</b>	
<b>Yes:</b>	Ja, mit Ausnahme von Anlage 4 aus datenschutzrechtlichen Gründen
<b>Yes except for questions (list):</b>	
<b>No:</b>	

**Please state your notified authorities under the IUU Regulation in accordance with:**

**Article 15.2 (exportation of catches):**  
**Bundesanstalt für Landwirtschaft und Ernährung**  
**Deichmanns Aue 29**  
**53179 Bonn**

**Article 17.8 (verification of catch certificates):**  
**Bundesanstalt für Landwirtschaft und Ernährung**  
**Deichmanns Aue 29**  
**53179 Bonn**

**Article 21.3 (re-exportation):**  
**Bundesanstalt für Landwirtschaft und Ernährung**  
**Deichmanns Aue 29**

**53179 Bonn**

**Article 39.4 (nationals):**

## Section 1. Information on legal framework<sup>1</sup>

Since the last reporting exercise covering the period 2014-2015, has your country adopted/modified national law or any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

Yes  No

*Zur Information: Deutschland wird voraussichtlich im 1. Halbjahr 2018 ein neues IUU IT System in Betrieb nehmen. Das neue System wird dann ein elektronisches Risikomanagement beinhalten und weitere Hilfestellungen bei der Abwicklung der Importkontrollen bieten (z.B. Abschreibung von in den Fangbescheinigungen ausgewiesenen Gewichtsangaben).*

*If yes, please detail and provide copies or provide link to the official national database*

.....

## Section 2. Information on administrative organisation<sup>2</sup>

2.1. Does your country have different authorities/services to deal with the implementation of the IUU Regulation?

Yes  No

2.2. If different authorities/services are involved, please distinguish between:

- the control of direct landings of third country fishing vessels;
- validation of catch certificates upon exports;
- verification of catch certificates for imports under direct landing;
- verification of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks);
- validation and verifications of re-exports.

Für die vorgenannten Vorgänge liegt die Zuständigkeit bei der Bundesanstalt für Landwirtschaft und Ernährung (BLE). Beim Import von Erzeugnissen aus Drittländern gibt es zudem eine Mitwirkungspflicht der Zolldienststellen.

a) internal co-operation (between local/regional authorities and head-quarter);

*Please explain and describe this cooperation:* Bei der Überprüfung von Fangbescheinigungen aus Drittländern und der Ausstellung von Fangbescheinigungen für unter deutscher Flagge fischende Fischereifahrzeuge haben die lokalen Fischereibehörden der Bundesländer keine Zuständigkeit. Dies ist alleinige Zuständigkeit der BLE, wobei die Zolldienststellen eine Mitwirkungspflicht haben. Auch eine Zusammenarbeit mit den Veterinärbehörden besteht (siehe auch Antwort zu b).

b) co-operation with other authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Fisheries, Health, Customs, Coast Guard, Navy, etc.);

*Please explain and describe this cooperation:*

<sup>1</sup> This section 1 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

<sup>2</sup> This section 2 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

Bei der Durchsetzung von Einlaufverboten für Schiffe auf der IUU Schiffsliste gibt es eine enge Zusammenarbeit zwischen der Wasser- und Schifffahrtsverwaltung, der Bundespolizei, der Wasserschutzpolizeien der Länder, der BLE und der lokalen Hafenbehörden. In einem Gemeinsamen Lagezentrum werden sämtliche Schiffsbewegungen beobachtet und über die Verkehrsleitzentralen gesteuert. Im Falle der Annäherung eines IUU Schiffes sind die Bundespolizei (in der Ausschließlichen Wirtschaftszone) bzw. die Wasserschutzpolizeien der Länder (innerhalb des Küstenmeeres) in der Lage, Einlaufverbote durchzusetzen.

Im Bereich der Kontrolle der Fangbescheinigungen bei Importen erfolgt eine enge Zusammenarbeit mit den Zolldienststellen und veterinärrechtlichen Grenzkontrollstellen. Dabei stellt der Zoll sicher, dass eine zollrechtliche Abfertigung für den innergemeinschaftlichen Warenverkehr erst dann erfolgt, wenn die BLE zuvor eine risikobasierte Kontrolle der Fangbescheinigung und ggf. Begleitpapiere vorgenommen hat.

- .....
- c) how many officials are involved in the implementation of the catch certification scheme?

*Please specify the number of officials expressed in Full Time Equivalent (FTE):*

Im Referat 523 der BLE waren im Jahr 2016 insgesamt 6 Personen mit der Überprüfung und Ausstellung von Fangbescheinigungen beschäftigt. Im Herbst 2017 kamen weitere 4 hinzu. Für das Jahr 2018 ist bislang eine weitere Neueinstellung vorgesehen. Die im Bereich Zoll/Veterinär ebenfalls mitwirkenden Personen sind nicht bezifferbar. (Derzeit sind rd. 8.800 Beschäftigte der Zollverwaltung im Tätigkeitsfeld der fachlichen Behandlung von Waren eingesetzt und somit in ihrem Arbeitsbereich unter anderem auch mit Kontrolltätigkeiten im Hinblick auf den Schutz der Fischbestände bei der Ein- und Ausfuhr befasst.)

- .....
- d) Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation?

Yes                       No

*If yes, which and how many audits/verifications have they undertaken since the last reporting exercise covering the period 2014-2015? Please detail the results: ...*

Die BLE hat die rechtliche Möglichkeit, Überprüfungen von Fischhandelsunternehmen vorzunehmen.

In den Jahren 2016/17 erfolgten jedoch keine derartigen Überprüfungen, da dafür die Notwendigkeit nicht gegeben war.

- .....
- 2.3. Does your country have freezones/freeports<sup>3</sup> in which activities relevant to importation/exportation/processing of fishery products are authorised?

Yes                       No

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<sup>3</sup> [https://ec.europa.eu/taxation\\_customs/business/customs-procedures/what-is-importation/free-zones\\_en](https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en)

In Deutschland existieren Freizonen/Freihäfen sowie ein Seezollhafen (Hamburg). Allerdings werden in diesen Bereichen keine Fischereierzeugnissen verarbeitet.

**Section 3. Information on direct landings and transhipments of fishery products by third country fishing vessels<sup>4</sup> (including information on port inspections and infringements)<sup>5</sup>**

3.1. Does your country have designated ports for direct landings or transhipment operations of fishery products and port services of third country fishing vessels (Article 5 of the IUU Regulation<sup>6</sup>)?

*Yes*                       *No*

*If yes, please list your country's designated ports (including ports designated under Regional Fisheries Management Organisations requirements) and answer to questions 3.2. to 3.7.:*

Hamburg  
Bremerhaven  
Cuxhaven  
Rostock  
Sassnitz/Mukran

3.2. How many landings and transhipments in designated ports of third country vessels have been recorded by your country between 1 January 2016 until 31 December 2017? How many inspections has your country carried out and how many infringements have been detected?

In Deutschland wurden keine Anlandungen oder Umladungen von Drittlandsschiffen in den Jahren 2016/2017 registriert. Damit erübrigt sich auch die weitere Beantwortung der Fragen zu den Punkten unter *Section 3*

*Please fill-in the table below (2016):*

Inspections of third country vessels in Member States ports (2016)								
Type of operation	Vessels	Figures (2016)	Flag of the third country vessel(s)*					Total
			<i>Ex. NO</i>	<i>FS1</i>	<i>FS2</i>	<i>FS3</i>	<i>FSx</i>	
Landings	Non-EU vessels using MS designated ports	Number of landings	100					
		Number of inspections	10					
		% of inspections / landings	10%					
		Number of infringements	3					
Transhipment	Non-EU vessels	Number of transhipments in	2					

<sup>4</sup> Fishing vessels as defined in article 2.5 of the IUU Regulation

<sup>5</sup> This section 3 refers to Chapter II (Articles 4 to 11) of the IUU Regulation and is applicable to coastal Member States. Landlocked Member States should not fill in this section.

<sup>6</sup> Please note that ports designated under Regional Fisheries Management Organisations must also be designated under the IUU Regulation with restrictions if necessary (species etc.)

	using MS designat ed ports	ports						
		Number of inspections	0					
		% of inspections / transhipments	0					
		Number of infringements	0					

\*Use ISO Alpha-2 country codes

Please fill-in the table below (2017):

Inspections of third country vessels in Member States ports (2017)								
Type of operation	Vessels	Figures (2017)	Flag of the third country vessel(s)*					Total
			Ex. NO	FS1	FS2	FS3	FSx	
Landings	Non-EU vessels using MS designated ports	Number of landings	100					
		Number of inspections	10					
		% of inspections / landings	10%					
		Number of infringements	3					
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports	2					
		Number of inspections	2					
		% of inspections / transshipments	100%					
		Number of infringements	0					

\*Use ISO Alpha-2 country codes

3.3. From the figures above, in the cases where your country detected infringements by third country vessels between 1 January 2016 and 31 December 2017, please specify the flag, the vessel's name, the type of infringement and the measures taken (Article 11 of the IUU Regulation).

Please fill-in the table below (2016):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
...			
FSx			

\*Use ISO Alpha-2 country codes

Please fill-in the table below (2017):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			

...			
FSx			

\*Use ISO Alpha-2 country codes

3.4. Has your country had any problems with third country fishing vessels when implementing Articles 6 (prior notice) and 7 (authorisation) of the IUU Regulation?

*Yes*                                       *No*

If yes, please detail the nature of the problems:

In 2016: .....

In 2017: .....

3.5. Since January 2016, has your country denied access to its ports to a fishing vessel for port services, activities of landing or transshipment of fishery products based on the conditions of the IUU Regulation?

*Yes*                                       *No*

If yes, please detail the nature of the problem, the number of vessels concerned and their flags:

In 2016: .....

In 2017: .....

3.6. Do you have third country fishing vessel landings in transit in your country with final destination in another Member State? [Article 19.3 of the IUU Regulation]

*Yes*                                       *No*

If yes, please indicate the number of landings in transit per year:

In 2016: .....

In 2017: .....

3.7. In order to determine the cases for port inspection, does your country use risk assessment criteria [cf. benchmarks for port inspections, Article 4 of Regulation (EC) No1010/2009]?

*Yes*                                       *No*

*Not applicable (e.g. in the absence of landings/transshipments from third countries)*

If yes, please detail: .....



**Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation<sup>7</sup>**

4.1. How many catch certificates from non-EU countries were presented to the authorities of your country from 1 January 2016 until 31 December 2017?

<b>Flag State (non-EU)</b>	<b>2016</b>	<b>2017</b>
<i>FS 1</i>		
<i>FS 2</i>	Siehe Anlage 1	Siehe Anlage 1
...		
<i>FS x</i>		
<b>Total</b>		

4.2. From the number above, how many recognised RFMO catch certificates accompanied imports into your country? Please detail per RFMO certificate and year.

<b>RFMO document</b>	<b>2016</b>	<b>2017</b>
<i>ICCAT (electronic)-bluefin tuna catch document</i>	3	27
<i>Dissostichus spp. (CCAMLR)</i>	2	2
<i>CCSBT CDS</i>	0	0
<b>Total</b>	<b>5</b>	<b>29</b>

4.3. Has your country received processing statements from 1 January 2016 until 31 December 2017?

Yes  No

If yes, how many processing statements under Article 14.2 accompanied imports into your country? If possible, please provide details per year and per processing country. Please only report processing statements received from non-EU countries:

<b>Processing non-EU State</b>	<b>2016</b>	<b>2017</b>
<i>PS 1</i>		
<i>PS 2</i>	Siehe Anlage 2	Siehe Anlage 2
...		
<i>PS x</i>		
<i>Total</i>		

4.4. Please indicate if the information in processing statements referring to the corresponding catch certificates is retained and recorded:

Yes  No

<sup>7</sup> Section to be filled-in by all Member States. Article 2.11 of the IUU Regulation – "importation means the introduction of fishery products into the territory of the Union, including for transshipment purposes at ports in its territory"

*Not applicable (e.g. in the absence of processing statements received from non-EU countries in 2016-2017)*

4.5. Has your country received requests to authorise APEO<sup>8</sup>s in 2016-2017?

*Yes*                                       *No*

If yes, how many requests has your country received and how many APEOs have been authorised?

.....

4.6. Has your country adopted administrative rules referring to the management and control of APEO in 2016-2017?

*Yes*                                       *No*

*Not applicable (e.g. absence of APEO request)*

If yes, please detail:

.....

4.7. Has your country validated re-export certificates for products imported from 1 January 2016 until 31 December 2017?

*Yes*                                       *No*

If yes, how many re-export certificates? Please detail per year and, if possible, per destination country:

<b>Destination country (non-EU)</b>	<b>2016</b>	<b>2017</b>
<i>Third Country 1</i>		
<i>Third Country 2</i>		
...		
<i>Third Country x</i>		
<b>Total</b>		

4.8. Does your country monitor if the catches for which your country has validated a re-export certificate actually leave the EU?

*Yes*                                       *No*

*Not applicable (e.g. in the absence of validation of re-export certificates in 2016-2017)*

If yes, please detail:

.....

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<sup>8</sup> Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

4.9. Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports?

*Yes*                       *No*

If yes, does it include a module for re-exportation of imported catches?

*Yes*                       *No*

4.10. Does your country implement the provisions regarding transit under Article 19.2 at the point of entry or the place of destination?

*At the point of entry*                       *At the place of destination*                       *Not implemented*

**Section 5. Information on catch certification scheme for exportation<sup>9</sup>**

5.1. Has your country established a procedure for validation of catch certificates for exportation of catches from own vessels in accordance with Article 15?

*Yes*  *No*

*Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)*

If yes, please explain briefly the established procedure and answer questions 5.2 to 5.5.

Siehe Anlage 3.

5.2. Has your country validated catch certificates for exportation in 2016-2017?

*Yes*  *No*

If yes, how many catch certificates did your country validate from 1 January 2016 to 31 December 2017? If possible, please provide details per requesting third country/country of destination in the following table:

Destination State	Year	
	2016	2017
<i>MA</i>	586	402
<i>CN</i>	28	36
<i>BY</i>	25	29
<i>TH</i>	3	12
<i>IS</i>	18	
<i>MY</i>	2	
<i>MT</i>	3	
<i>FO</i>	2	
<i>CL</i>		1
<i>NO</i>		1
Total	667	481

5.3. Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels?

*Yes*  *No*

Es handelt sich um eine einfache Excel Datenbank , in der Angaben zu den Fangreisen abgelegt werden und aus deren Angaben dann die Fangbescheinigung erstellt wird (s. Anlage 4)

5.4. Does your country monitor that the catches for which your country has validated catch certificates actually leave the EU?

*Yes*  *No*

<sup>9</sup> Section to be filled-in by flag Member States.

Soweit möglich wird vor Ausstellung einer Fangbescheinigung ein zollrechtlicher Ausgangsvermerk angefordert, der die tatsächliche Ausfuhr der Ware aus dem Gebiet der EU belegt (s. Anlage 5). Sollte dies nicht möglich sein, wird alternativ die Vorlage eines “Bill of Landing” eingefordert.

Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)

5.5. Has your country refused the validation of a catch certificate between 1 January 2016 and 31 December 2017?

Yes  No

Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2016-2017)

If yes, please detail:

Number (per year): .....

Reason: .....

Follow-up: .....

**Section 6. Information on verifications of catch certificates for importation according to Article 17.1 to 5 of IUU Regulation<sup>10</sup>**

6.1. Has your country established a procedure for verification of catch certificates for importation in accordance with Article 17.2?

Yes  No

If yes, please detail: .....

Das Prüfverfahren für Fangbescheinigungen ist schematisch in Anlage 6 dargestellt. Darüber hinausgehende Überprüfungen nach Artikel 17.2 sind rechtlich möglich. In Deutschland sind die Kontrollen ein Zusammenspiel zwischen den veterinärrechtlichen Grenzkontrollstellen, der BLE und dem Zoll.

6.2. How many catch certificates have been verified by your administration from 1 January 2016 until 31 December 2017? Please specify, separately for each year:

Flag State of origin (EU or non-EU)	Number of verifications 2016		Number of verifications 2017	
	No of basic document-based verifications <sup>11</sup>	No of in-depth verifications <sup>12</sup>	No of basic document-based verifications	No of in-depth verifications

<sup>10</sup> Section to be filled-in by all Member States

<sup>11</sup> See fields CC1 to CC6 (Preliminary overview checks “helicopter view”) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

Flag State of origin (EU or non-EU)	Number of verifications 2016		Number of verifications 2017	
	No of basic document-based verifications <sup>11</sup>	No of in-depth verifications <sup>12</sup>	No of basic document-based verifications	No of in-depth verifications
<i>Country 1</i>	Siehe Anlage 7			
<i>Country 2</i>				
...				
<i>Country x</i>				
Total				

6.3. Does your country use a risk assessment approach for verification of catch certificates in accordance with Article 17?

*Yes*                       *No*

If yes, please detail (e.g. EU criteria for verifications (Article 31 of Commission Regulation 1010/2009); EFCA risk assessment methodology; national criteria).

Ein besonderes Augenmerk bei der Kontrolle der Fangbescheinigungen liegt bei den Sendungen aus Drittländern bei denen die Kommission im Rahmen von Informationsschreiben nach Artikel 50 (3) der IUU Verordnung ein erhöhtes Risiko mitgeteilt hat. Beachtung finden auch Sendungen aus Ländern, die die Kommission bereits unterrichtet hat, dass sie möglicherweise zukünftig als nicht-kooperierende Drittländer eingestuft werden. Auch Informationen aus anderen Mitgliedstaaten der EU oder Umlade-/Verarbeitungsvorgänge in Drittstaaten können dazu führen, dass Sendungen einer vertieften Kontrolle der Fangbescheinigungen und deren Begleitpapiere unterzogen werden.

Zukünftig wird das neu IT System ein elektronisches System zum Risikomanagement enthalten, das die Risikokriterien der Verordnung 1010/2009 berücksichtigt.

6.4. Does your country also physically verify the consignments?

*Yes*                       *No*

If yes, please detail:

In Verbindung mit den veterinärrechtlichen Grenzkontrollstellen und dem Zoll erfolgt eine 100 % Kontrolle, d.h. Prüfung der Dokumente und eine Nämlichkeitskontrolle (s. Anlage 8)

*Number (per year):* .....

*Method of selection:* .....

*Follow-up:* .....

<sup>12</sup> See fields CC7 to CC32 (*Verify and cross-check information related to the form, flag state, validating authority, fishing vessel, product(s), transshipment operations*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

**Section 7. Verification requests to flag States<sup>13</sup>**

7.1. Has your country sent requests for verifications under Article 17.6 of the IUU Regulation to other countries authorities in 2016-2017?

*Yes*                                       *No*

If yes, how many requests for verifications? *Note: please provide separate data for 2016 and 2017:*

<b>Flag States</b>	<b>No of requests for verifications 2016</b>	<b>Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-</b>	<b>No of requests for verifications 2017</b>	<b>Justifications (Articles 17.4 and 17.6 of the IUU Regulation)</b>
<i>Country 1</i>	s. Anlage 9			
<i>Country 2</i>				
...				
<i>Country x</i>				
<b>Total</b>				

7.2. How many requests for verification were not replied to by the other countries' authorities within the deadline provided in Article 17.6 of the IUU Regulation? Does your country in these situations send a reminder to the authorities of the country in question? [Please provide separate data for 2016 and 2017]

2016 .....keine.....

2017 .....keine.....

7.3. Was the quality of the answers provided overall sufficient to satisfy the request?

*Yes*                                       *No*

<sup>13</sup> Section to be filled-in by all Member States

**Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)<sup>14</sup>**

8.1. Has your country refused any imports from 1 January 2016 until 31 December 2017? *Note: please only consider refusals based on the IUU Regulation, not for other reasons e.g. Food Safety, Customs legislation, etc.*

Yes  No

If yes, please provide details in the table below:

Reason for refusal of importation	2016		2017	
	Flag State	No.	Flag State	No.
Non-submission of a catch certificate for products to be imported.				
The products intended for importation are not the same as those mentioned in the catch certificate.				
The catch certificate is not validated by the notified public authority of the flag State				
The catch certificate does not indicate all the required information.				
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.				
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the Union IUU vessel list or in the IUU vessel lists referred to in Article 30.				
The catch certificate has been validated by the authorities of a flag State identified as a non-cooperating State in accordance with Article 31				
Further to the request for verification (Article 18.2)				

8.2. If the answer to 8.1 is yes, what measures were taken by your authorities towards the refused fishery products?

.....  
 .....

<sup>14</sup> Section to be filled-in by all Member States



8.3. In case of refusal of importation, did the operators contest the decision of the authorities of your country?

Yes  No

If yes, please detail: .....

**Section 9. Information on trade flows<sup>15</sup>**

9.1. Did your country note a change<sup>16</sup> of imports of fishery products since the last reporting exercise covering the period 2014-2015?

Yes  No

Anmerkung: Es gibt immer Veränderungen in den Handelsströmen. Dafür gibt es die unterschiedlichsten Gründe (Preisänderungen, Bestandsveränderungen, Veränderungen der Verbrauchernachfrage, Entwicklung der Transportkosten etc. etc.). Gründe aus IUU Sicht sind nicht erkennbar.

If yes, please detail: .....

9.2. Please provide information, deriving from your country's statistical data, concerning change of trade patterns in imports of fishery products into your country:

.....

**Section 10. Information on mutual assistance<sup>17</sup>**

10.1. Since the last reporting exercise covering the period 2014-2015, how many mutual assistance messages of the Commission has your country replied to?

*Please provide separate data for 2016 and 2017 (if any)*

2016.....Es wurden alle Anfragen der Kommission beantwortet

2017..... Es wurden alle Anfragen der Kommission beantwortet.

10.2. Since the last reporting exercise covering the period 2014-2015, has your country sent any mutual assistance message to the Commission/other Member States?

*Please provide separate data for 2016 and 2017 (if any)*

2016.....5 Anfragen.....

2017.....4 Anfragen.....

<sup>15</sup> Section to be filled-in by all Member States

<sup>16</sup> For example: new kinds of fishery products, new trade patterns or significant and sudden increase in trade volume for a certain species and/or certain third countries.

<sup>17</sup> Section to be filled-in by all Member States

**Section 11. Information on cooperation with third countries<sup>18</sup>**

11.1. Apart from verifications and refusals under Articles 17 and 18, has your country had information exchange with third countries on issues related to the implementation of the IUU Regulation, such as follow-up of cases concerning nationals, consignments, trade flows, operators, private fishing licencing, as well as the investigation of criminal activities and serious infringements (Article 42)?

*Yes*  *No*

If yes, please detail (please provide separate data for 2016 and 2017, if any).

.....

**Section 12. Information on nationals<sup>19</sup>**

12.1. Since the last reporting exercise covering the period 2014-2015, has your country implemented or modified existing measures to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing in accordance with Article 39 of the IUU Regulation?

*Yes*  *No*

If yes, please detail: .....

Diesbezüglich wurden keine neuen Rechtsgrundlagen erlassen.

12.2. What measures has your country taken to encourage nationals to notify any information on interests in third country vessels (Article 40.1)?

Keine.....

12.3. Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their vessels in accordance with Article 40.4?

*Yes*   *No*

If yes, please detail: .....

Deutschland bemüht sich, im Rahmen der regionalen Fischereiorganisationen Informationen zu IUU-Aktivitäten auch eigener Staatsangehöriger zu erhalten. Zudem werden Hinweise internationaler Organisationen wie Interpol nachgegangen und alle Maßnahmen unterstützt, die auf die internationale Kriminalisierung von IUU Aktivitäten zielen. Bislang liegen der Bundesregierung keine Informationen zu Verwicklungen deutscher Staatsangehöriger in IUU-Fischerei vor.

12.4. If yes to any of the above, how many cases have your country dealt with and which administrative or penal follow-up was given?

Please provide details: .....

<sup>18</sup> Section to be filled-in by all Member States

<sup>19</sup> Section to be filled-in by all Member States

Wie unter 12.3. beschrieben, liegen keine Informationen zu Verwicklungen deutscher Staatsangehöriger in IUU-Fischerei vor.

12.5. Has your country put in place procedures to ensure that nationals do not sell or export any fishing vessels to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list (Article 40.2)?

Yes  No

Anmerkung: Soweit ein Fahrzeug in die deutsche Flotte aufgenommen wird, prüfen die zuständigen Bundesländer, ob diese Fahrzeuge auf der IUU-Unionsliste aufgeführt sind.

12.6. Has your country made use of Article 40.3 and removed public aid under national aid regimes or under Union funds to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list?

Yes  No

If yes, please detail: Anmerkung: Die Bundesländer sind für die Anträge auf Unterstützung aus dem EMFF gemäß Artikel 10 Absatz 1 der EMFF-Verordnung (EU) 508/2014 zuständig. Bei der Prüfung der Anträge wird unter anderem Artikel 40 Absatz 3 der IUU-Verordnung (EG) Nr. 1005/2008 berücksichtigt.

**Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)<sup>20</sup>**

13.1. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2016 until 31 December 2017?

Yes  No

If yes, please detail separately for each year the number of serious infringements, nature and sanctions applied:

Flag State of the vessel or nationality of the operator (EU and non-EU)	Serious infringements detected in 2016:			Serious infringements detected in 2017:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Deutschland</i>	3	Logbuch	Vergabe von jeweils 3 Punkten je Verstoß			
<i>Country 2</i>						
...						

<sup>20</sup> Section to be filled-in by all Member States

Flag State of the vessel or nationality of the operator (EU and non-EU)	Serious infringements detected in 2016:			Serious infringements detected in 2017:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Country x</i>						
<i>Total</i>						

13.2. Has your country applied or adapted its levels of administrative sanctions in accordance with Article 44?

*Yes*                       *No*

If yes, please detail: Für die Sanktionierung von schweren Verstößen enthalten sowohl das Seefischereigesetz als auch untergesetzliche Verordnungen Ordnungswidrigkeitentabestände, bei deren Erfüllung die für den schweren Verstoß verantwortliche Person mit Bußgeldern belegt werden können. Die Höhe der Bußgelder richtet sich unter anderem nach dem Ausmaß der Zuwiderhandlung, der wirtschaftlichen Situation der Täter und danach, ob eine mehrfache Verletzung von Bußgeldvorschriften vorliegt und ob eine wiederholte Begehung der Zuwiderhandlung gegeben ist.

13.3. Has your country issued sighting reports from 1 January 2016 until 31 December 2017?

*Yes*                       *No*

If yes, how many sighting reports were issued by your country from 1 January 2016 until 31 December 2017?

Flag State of the sighted vessel (EU and non-EU)	No of sighting reports issued in 2016	No of sighting reports issued in 2017
<i>Country 1</i>		
<i>Country 2</i>		
...		
<i>Country x</i>		
<i>Total</i>		

13.4. Since the last reporting exercise covering the period 2014-2015, has your country received any sighting reports for its own vessels from other competent authorities?

*Yes*                       *No*

If yes, please detail follow-up (in accordance with Article 50 of the IUU Regulation).

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**Section 14. General**

14.1. In the reporting period 2016/2017, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

Es ist nahezu unmöglich, die unzähligen, in den jeweiligen Drittländern geltenden Bewirtschaftungs- und Erhaltungsmaßnahmen zu überprüfen. Hier wäre es hilfreich, wenn die Kommission eine Liste von Staaten erstellen würde, bei denen in diesem Bereich Defizite bestehen.

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14.2. Which improvements would your country suggest to the Regulation that would make implementation smoother?

Für dringend erforderlich gehalten wird die Einführung einer europäischen Datenbank, in der die Flaggenstaaten ihre ausgestellten Fangbescheinigungen hinterlegen und die die Möglichkeit einer mengenmäßigen Abschreibung der Fangbescheinigung vorsieht. Eine solche Datenbank würde die Kontrollen effizienter gestalten und die Verwaltungsverfahren vereinfachen. Die in dieser Hinsicht bereits begonnenen Arbeiten sollten fortgeführt werden, um möglichst bald ein funktionierendes System in Betrieb zu haben. Das neue System muss darüber hinaus Schnittstellen zu bereits bestehenden IT Systemen in den Mitgliedstaaten vorsehen. Ein umfangreicher Datenaustausch zwischen den Systemen der Mitgliedstaaten und der EU-Datenbank ist zwingend erforderlich.

Wünschenswert wäre ferner eine zeitnahe und konkrete Beantwortung der Fragen der Mitgliedstaaten durch die Kommission sowie die Erläuterung ihrer Position zu bestimmten Sachverhalten, zu denen unterschiedliche Auslegungen möglich sind im Rahmen der IUU Expertengruppen-Sitzungen in Brüssel.

Artikel 21 der IUU-Verordnung schreibt vor, dass Erzeugnisse, die aus Drittländern eingeführt und unverarbeitet wieder ausgeführt werden, mit einer Wiederausfuhrbescheinigung zu versehen sind. Da die zu exportierenden Erzeugnisse bereits bei der Einfuhr kontrolliert wurden und die IUU-Konformität der Erzeugnisse damit bereits festgestellt ist, erscheint eine „erneute“ Validierung der Fangbescheinigung respektive einer Kopie davon als entbehrlich.

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**Section 15. Any other comments**

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